IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 21ST AUGUST 2006 / 30TH SRAVANA 1928

TRC.No. 14 of 2002()
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TA.90/1997 of AGRL.I.T. ADDL.BENCH,PALAKKAD
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PETITIONER: ASSESSEE
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MODERN WOOD INDUSTRIES, NATTUKAL,
THACHANATTUKARA.

BY ADV. SRI.K.C.BALAGANGADHARAN
SRI.S.SOMAN
SMT.USHA RAVINDRAN

RESPONDENTS: REVENUE
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STATE OF KERALA, REPRESENTED BY THE
SECRETARY (TAXES), THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. P.V. ASOKAN.

THIS TAX REVISION CASE HAVING BEEN FINALLY HEARD ON 21/08/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. 326/2002 IN T.R.C. 14 OF 2002.

DISMISSED.

21.8.2006. SD/-C.N.RAMACHANDRAN NAIR,JUDGE
SD/- K.M.JOSEPH, JUDGE.

**C.N.RAMACHANDRAN NAIR, & K.M.JOSEPH, JJ.**

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provide choice. Even though there is nothing wrong in estimating turnover based on running stock, we find in this case the difference noticed on inspection was worth Rs.10,000/-. Of course there is some difference between the accounts and the turnover declared in the returns. Considering all this, we feel that the estimation of turnover at Rs.4,60,965.75, confirmed by the Tribunal is on the higher side.

Therefore we modify the order of the Tribunal by re-fixing taxable turnover on sales at Rs.Three Lakhs as against one time running stock fixed by the first appellate authority and confirmed by the Tribunal. Tribunal's decision on all other matters will stand. TRC is allowed to the extent indicated above.

(C.N.RAMACHANDRAN NAIR, JUDGE)

(K.M. JOSEPH, JUDGE)

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C.N.RAMACHANDRAN NAIR & K.M.JOSEPH, JJ.

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